

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application for Reissue of:

Me Van Le et al.

U.S. Patent No. 5,867,343

Method And Apparatus For Storing Position Offset Information On A Hard Drive Assembly Cylinder



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/765,891	
	Filing Date	January 18, 2001	
	First Named Inventor	Me Van Lee et al.	
	Group Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	1	Attorney Docket Number	155634-0012/0116

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition under 37 CFR 1.47(a) and supporting declarations of Jeffrey Aiello and Ben J. Yorks; a copy of the previously submitted Reissue Application Declaration; a reissue specification in double-column format; a copy of the notice to file missing parts
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jonathan M. Lindsay, Reg. No. 45,810 IRELL & MANELLA LLP	RECEIVED
Signature	JUL 20 2001	
Date	July 13, 2001	OFFICE OF PETITIONS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Darla Cleveland
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (11-00)

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O I P E JC42
JUL 16 2001
PATENT & TRADEMARK OFFICE
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for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,020.00)

Complete if Known

Application Number	09/765,891
Filing Date	January 18, 2001
First Named Inventor	Me Van Lee et al.
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	155634-0012/0116

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **09-0946**

Deposit Account Name **Irell & Manella LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	890.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description		
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

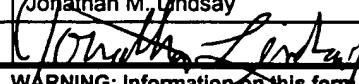
SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 1,020.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) **Jonathan M. Lindsay**Registration No. **45,810**Telephone **(949) 760-0991**Signature Date **July 13, 2001**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/765,891	01/18/2001	Me Van Le	155634-0012

Irell & Manella LLP
 840 Newport Center Drive
 Suite 400
 Newport Beach, CA 92660

FORMALITIES LETTER



OC000000005763978

Date Mailed: 02/14/2001

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Jong-Ming Lin
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 1 - ATTORNEY/APPLICANT COPY

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OFFICE OF PETITIONS

SEARCHED 01/09/2001 00763978
 SERIALIZED 01/09/2001 00763978
 INDEXED 01/09/2001 00763978
 FILED 01/09/2001 00763978



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Application Number: 09/1765,891

Attachment to Paper No.:

**REISSUE SUPPLEMENT
NOTICE TO FILE MISSING PARTS OF APPLICATION**

This Reissue Supplement is an attachment to:

"Notice to File Missing Parts of Application" Filing Date Granted
 "Notice of Incomplete Application" No filing Date Granted

The item(s) indicated below as missing must be filed within the period for reply set on the attached form to avoid abandonment.

Correction of the following is required to complete the reissue application:

1. The reissue specification has not been provided in double-column format as is required by 37 CFR 173(a)(1).

2. Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration, be accompanied by the written consent of all assignees.

3. Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided.

4. Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP Sec. 324.

5. Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided.

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Initial Patent Examination Division (703) 308-1202



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Me Van Le, et al.

Application No.: 09/765,891

Filed: January 18, 2001

For: **METHOD AND APPARATUS FOR
STORING POSITION OFFSET
INFORMATION ON A HARD DRIVE
ASSEMBLY CYLINDER**

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JUL 20 2001

OFFICE OF PETITIONS

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF REISSUE APPLICATION**

Assistant Commissioner for Patents

Attention: Box Missing Parts

Washington, DC 20231-9998

Sir:

In response to the Notice to File Missing Parts of Reissue Application mailed February 14, 2001, please find enclosed:

- (1) Petition for Extension of Time;
- (2) Petition under 37 CFR 1.47(a);
- (3) Declaration of Jeffrey Aiello in support of Petition under 37 CFR 1.47(a);
- (4) Declaration of Ben Yorks in support of Petition under 37 CFR 1.47(a);
- (5) A copy of the previously submitted Reissue Application Declaration By The

Inventor signed by Me Van Le;

- (6) A reissue specification in double-column format as required by 37 CFR 1.173(a)(1);

(7) a check in the amount of \$1020.00 to cover the surcharge under 37 CFR 1.17(i) and the extension of time fee under 37 CFR 1.136(a); and,

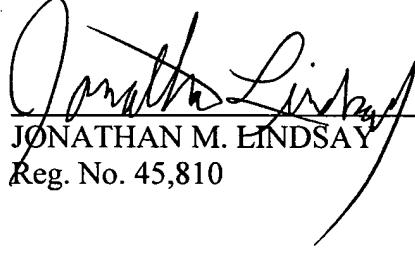
(8) a copy of the Notice to File Missing Parts of Reissue Application.

If any additional fee is required, please charge Deposit Account No. 09-0946. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: July 13, 2001



JONATHAN M. LINDSAY
Reg. No. 45,810

840 Newport Center Drive
Suite 400
Newport Beach, CA 92660-6324
(949) 760-0991

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, DC 20231 on July 13, 2001.



Darla Cleveland 7/13/01
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Application Number: 09/765,891
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